*648 Turkana raid on Masai, June, 1912.

2. A large party of Turkana raided Kune, about forty miles north of Rumuruti, in June, 1912, and carried off cattle estimated by the District Commissioner to number 158 head. One Masai elder was killed. Fifty-eight of the cattle were recovered by the District Commissioner, Turkana. A patrol which toured Turkana at the beginning of 1913 captured from them a number of cattle, and one hundred head of the captured stock was reserved as compensation for the Masai. Owing, however, to an outbreak of disease, it became necessary to sell the remainder, and eventually, at the end of 1915, Rs. 3,621 were paid to the Masai, a further Rs. 1,500 being subsequently added in compensation for loss and as blood money.

*648 579 721 Raids on Samburu, June, 1912, October, 1912.

3. In June, 1912, the Samburu of the Embarta plains were raided by a small party of Masai. On the 28th of October, the Samburu in the same place were again raided by similar people. No trace of the stolen cattle was found, though it was reported on reliable information that they had been taken into the Southern Masai Reserve.

*648 563 Forcible removal of Masai into German territory, July, 1912.

4. In July, 1912, a number of Masai Wandorobo living near the border were raided by German patrols and were forcibly removed with their stock across the border into German territory. A meeting was arranged between Herr Altmann, Imperial Secretary of Schirati District, and the District Commissioner, South Kavirondo District, when the affair was investigated on the spot where the outrage was supposed to have been committed, but with no good results.

Further enquiries were made and the assistance of the German Governor was solicited, but the evidence obtained was inconclusive, and as it was stated that the Wandorobo in question had, until shortly before the incident, lived in German territory the matter was allowed to drop.

*648 579 [721] Raids on Meru and Kikuyu in Nyeri District, August and September, 1912.

5. On August 1st, 1912, the sub-district of Siganis in the Nyeri District was raided, five men were killed and ninety head of cattle taken.

On September 5th, a trading party of Kikuyu were attacked at the Siki River on the Nyeri-Meru road. One Kikuyu youth was killed.

On September 20th and 22nd raids were attempted on Kikuyu kraals close to Nyeri.

Murder of two Kikuyu, September, 1912.

6. In September, 1912, two Kikuyu natives were murdered by the Masai near Lenana's old kraal some fifteen miles from Nairobi. Two Masai were arrested, convicted, and hung for the offence.

Friction with the Lumbwa, October, 1912.

7. In October, 1912, while the Masai move was in progress, a certain amount of friction was noticeable between the Masai and the natives from Lumbwa and Sotik and raids were reported from Ol-Orokuti and Nerguenno. A patrol under Captain W. B. Brook operated in Sotik country along the Mara River to keep such raids in check.

Raids and murders towards the end of 1912.

8. Several isolated raids and murders which took place during the last few months of 1912 were traced to parties of unidentified warriors, believed to belong to the Purko and Loita divisions of the Masai who were then settled on the western boundary of the Southern Masai Reserve. Five such incidents were reported, namely:—

(1) The murder of two Lumbwa men and one woman on the south side of the Mara River close to Lemek Valley.

[721] (2) An attempted theft, on the 16th of December, of forty head of cattle from Mr. Johnson's farm, during which attempt three Lumbwa were killed.

(3) An attempted theft in Uregi, a location in the South Kavirondo District, in the course of which one native of that location was killed. One of the natives implicated in this affair was a Purko, who alleged he had been accompanied by a Loita.

[721] (4) A raid into German territory among natives known as Ngorolmi, in the course of which fifty head of cattle were stolen and a woman and child were killed.

(5) An alleged theft of ten head of cattle from natives in German territory. This was probably the work of some other tribe.

As it proved impossible to discover the identity of the offenders in these cases, the probability of the guilt of the Muran of the Purko and Loita divisions, enhanced by their refusal to render assistance in locating the criminals, was considered sufficient to warrant the imposition of a fine under the Collective Punishments Ordinance, 1909, and the Secretary of State approved the collection of a fine of one hundred head of cattle on each village of the two sections. There were, in all, one Loita and four Purko villages,* and after the payment of compensatory blood money to the relatives of the deceased, it was decided to devote the remainder of the fine collected to the undertaking of works for the improvement of the reserve.

The imposition of this fine served largely as an object lesson to the Masai indicating that raids must cease. A military patrol then operating in the Sotik and Masai country and in the Chepalungu Forest was detained in the area with a view to ensuring the collection of the fine. Some slight trouble was caused by the younger Muran, but the full number of cattle was obtained by the end of February, 1913, and about one hundred head were disposed of as blood money. This is the first occasion on which a fine under the Collective Punishments Ordinance was imposed on the Masai.

Raid into German territory, December, 1912.

9. In December, 1912, a raid was made into German territory by some Masai, in the course of which 62 head of cattle and three donkeys belonging to a German planter named Koenig were stolen and an Arab and two Wanikuma were killed. Very little evidence in connection with the matter was adduced by the German Authorities, and it was not until February, 1914, that any witnesses were forthcoming who could identify the stolen stock. The Masai chiefs and elders took no steps to discover the identity of the perpetrators of the raid, and there was no direct evidence to connect any individuals with the offences committed. Fines were therefore inflicted in May, 1914, to the extent of 150 head of cattle on the Salei division; 50 head of cattle on the L'Otayok Muran; 50 head of cattle on the Kisaruni "Sirit" of the Purko Muran.

Herr Koenig was to be awarded the sum of Rs. 2,500 as compensation from the proceeds of the sale of the cattle, but the outbreak of hostilities prevented this payment and the money so reserved was devoted to the reimbursement of certain Masai for loss incurred at the hands of German natives, *vide* Incident No. 21. The balance of the fine was utilised in the demarcation of the reserve and in the irrigation of Narok Station.

Murders near Rumuruti, January, 1913.

10. Two porters belonging to a shooting party were murdered on the Gilgil-Rumuruti road about four miles from Rumuruti on the 1st of January, 1913, by Muran from the extended Southern Reserve who had returned to Laikipia to assist their relatives with the movement of cattle. The murderers in this case were captured and convicted, but, in order to prevent further similar outrages, steps were taken to restrict the movement of Masai from the Southern Reserve.

Iron bolts on Uganda Railway, January, 1913.

11. Complaints made by the Railway Magistrate, Magadi Railway, that on five occasions iron bolts and similar heavy pieces of metal had been placed on the rails led to suspicion falling on the neighbouring Masai who were thought to have wished to flatten the bolts for spear heads and knife blades. One slight accident was caused, and as the practice continued, two Masai villages near the Railway were removed.

Murder of Lumbwa and Kavirondo, January, 1913.

12. About January, 1913, two murders were committed on different dates but in the same locality. The victims were a Lumbwa and a Kavirondo respectively who were returning to their homes by a track passing through a portion of the Masai Reserve. About this time, considerable ill-feeling and mutual suspicion existed between the Masai and Lumbwa tribes, more especially among the Muran, and the Masai are known to have been responsible for the murders of some six Lumbwa between August and December, 1912. (*Vide* Incident No. 8).

No great hostility existed between the Kavirondo and the Masai, but the desire of the Muran of the latter tribe to blood their spears is so keen that they would have no scruples on that account.

* Loita villages called Kimorani. Purko villages called Ilpurei, Kimorani, Il Merishio and Il Kipsigiroi.

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The only natives of the warrior class who lived within thirty miles of the locality where the murders were committed were the Murran of the Kisaruni "Sirit" of the Purko division and the officer-in-charge of the Masai Reserve was convinced that the outrages in question had been perpetrated by this division, that the murderers were perfectly well-known to the Masai in general and, in fact, that they openly boasted of their prowess. All attempts to identify the culprits were, however, unavailing.

A fine of 180 heifers under the Collective Punishments Ordinance was accordingly inflicted on the Murran of that "Sirit," who numbered about four hundred and fifty souls. Fifty-head of cattle from the proceeds of the fine were utilized in the construction of a road from Mara Bridge to Golegele Hill, connection being thus effected between the Mara River and Kisii Stations.

[921]

Raid on the Kenia District, February, 1913

13. Two members of the Laitokitok division were suspected of being the perpetrators of a raid on the farm of a Boer named Malan, residing on the Engare Nairobi in the Moshi district, which was carried out on the 10th of February, 1913. Fourteen head of cattle stolen from the farm were traced into British territory near Longido but no evidence was adduced and the cattle were not identified.

Raid and theft on Kedi, February, 1913

14. A series of thefts occurred in the neighbourhood of Laikipia towards the end of 1912 and in the early part of 1913, and an unsuccessful raid on the Sirk was carried out at a place eight miles from Baringo on the 16th of February, 1913. Seven Murran took part, one of whom was killed, and although no definite evidence was forthcoming, it was thought that the culprits belonged to the Laikipia Masai Wanderobo. Arrangements were made for a military patrol to drive the bush country near Lake Hannington. (*Vide* Incident No. 16).

Punitive Expedition against Masai, April, 1913.

15. In spite of police efforts to prevent such a movement, certain Masai owners of Manyattas broke back on lands adjacent to farms in the vicinity of Elmenteita and Nakuru in April, 1913. In several cases such Masai were convicted, and in particular, sixteen Elders and ten Murran were fined five bullocks each for each of two offences, namely, the contravention of the Native Passes Regulations as applied to the Masai Reserve and of the Diseases of Animals Ordinance, 1906.

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Cattle thefts on Laikipia, April, 1913.

16. A large number of undetected cattle thefts occured on Laikipia during the first half of the year 1913, while the exodus to the Southern Reserve was in progress and at a time when the Masai were moving freely between the reserves. Details of each case are not obtainable but the following particulars have been recorded :—

On April 17th, eighty-three trade cows were stolen from near Rumuruti by a band of fifteen natives suspected of being Masai or Masai Wanderobo from a Manyatta some twenty miles north-east of Baringo. Of the four Somalis herding the cattle, two were injured.

Twenty-six cows were stolen from a herd of seventy-seven belonging to Murray Brothers which was under the supervision of the veterinary authorities at Rumuruti. In this case the raiders were said to be Masai living near Archer's Post.

Sixty-nine head of cattle were stolen in broad daylight on the 24th of April. The thieves were said to be Mauyi Masai from near Mara, and the tracks of the stolen cattle were traced to the junction of the Northern Uaso Nerok and Uaso Nyiro.

Seventy-one head of cattle were driven off from near Rumuruti when in charge of a Somali named Ali Hassan.

Three similar incidents occurred in May when one hundred and thirty-four head were looted.

Laikipia Patrol, May, 1913.

In May, 1913, a patrol of the King's African Rifles, which had been operating in Marakwet country, was relieved by police and was recalled to Gilgil. Immediately on arrival, the Officer in Command, Lieutenant E. A. B. Orr, was instructed to tour the Laikipia country with the object of recovering the cattle that had been stolen—which amounted in all to some two hundred and ninety head—and of removing from the area any Wanderobo who might be found on Laikipia.

Mr. Popplewell accompanied the patrol, which left Rumuruti on June 18th, and moved west and north-west of that place. A few old and deserted kraals were found, but there was no trace of the raiders, and the patrol returned to Rumuruti on June 22nd. Information was then received of the presence of mobs of cattle forty miles west of Archer's Post, and the patrol proceeded towards the Loroghi Mountains on June 29th. Travelling by the Sugota Marmor and Lake Kisima, the patrol entered the Samburu country at the beginning of July, having found only one village of Masai, which was taken to Rumuruti for transfer to the Southern Masai Reserve. Proceeding along the Uaso Nyiro and then in a southerly direction, the patrol reached Meru without further incident on the 18th of July, and thence returned by way of the Lokilaiks Hills to Rumuruti, arriving eight days later. All cattle belonging to the Samburu living on the Uaso Nyiro, as well as those of the Mooreyat Masai, were examined without result.

Sufficient information was forthcoming, however, to establish the fact that the Masai were the real perpetrators of the thefts, and that the stolen cattle had been taken to the Southern Reserve, and certain animals, identified as having been among those stolen at various times, were subsequently recovered from that reserve. The evidence was not sufficient to warrant the conviction of any individuals, but served to prove the complicity of the Il Merisho Sirit of the Purko Murran, who withheld all information which might have incriminated the guilty parties, and offered no help in the tracing of the offenders. On this consideration, and also in view of their having made no effort to assist in the recapture of certain thieves who had escaped from custody into their country, a fine of one thousand head of cattle was, in January, 1914, imposed on that Sirit, under the Collective Punishments Ordinance. This fine had been collected in full by June, 1914, and, compensation having been paid in respect of claims for stolen stock, the remainder of the proceeds were devoted to the construction of a wagon road from Kijabe to Mara Bridge, to join up with the road in process of construction from Mara to Kisii.

17. In June and July, 1912, His Excellency, Sir Henry Belfield, made an extended tour through the western half of the Masai Reserve, accompanied by the Provincial Commissioner, Nairobi, the Game Warden and Dr. J. Owen-Prichard. Starting from Nairobi on June 27th, he held a meeting at Ngong on June 28th, when local affairs were discussed with the Laibon, Seggi, and the principal local Elders. Leaving Ngong on June 29th, His Excellency travelled via Kelong to the Uaso Nyiro, which he crossed at Van de Weyer's Drift, and thence southward to the Narosura. He left that camp on July 8th, entered the Loita Plains at Engare Ento, and proceeded northwards to select a site for the administrative centre of the reserve. (*Vide* Incident No. 20). From Narok he moved west across the northern portion of the Loita Plains, and reached Kaitong on July 24th. There he met Mr. G. K. Watts, who was carrying out a scheme of water conservation in the Lemek Valley, and on the next day he proceeded to the Mara River Post. On July 30th, he held a meeting at Mara Bridge with the Masai chiefs from the western part of the reserve, among whom was Legalishu. The "Masai Case" was at that time before the Courts and Legalishu proved somewhat truculent, but he appeared to have only a small following among the other chiefs in his attitude of passive resistance. Leaving the Mara River, Sir Henry Belfield skirted the southern edge of the Chepalungu Forest, and reached the boundary of the reserve at Gologolo on August 1st.

18. In the course of his meeting with the Masai Elders at Ngong, on the 28th of June, the Governor was approached with a request that a cattle dip might be provided at that place for the use of the Masai cattle. His Excellency replied that he was disposed to approve the construction of such a dip, but he made it clear to the Masai that, although the Government was prepared to bear the cost of certain works of improvement in order to render the reserve suitable to their needs, they were not to expect that such work would always be carried out free of cost to the people. The cattle dip, constructed in response to this request, was opened at Ngong in April, 1914, by the Chief Veterinary Officer, who explained the process to Seggi, Mgeruya and a number of Masai who were present. One hundred and fifty cattle were dipped that day. The construction of the dip,

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German territory. Investigations were instituted by the District Commissioners of Voi and Moschi and these officers agreed that the stock taken on each side should be returned with the exception of a number of cattle belonging to the Wachagga which were to be retained as blood money. Representations were made to the German Government who took steps to punish the raiders.

Definition of the Anglo-German boundary.

23. As a result of the affair described in Incident No. 22, the German Governor suggested, in May, 1914, that the Anglo-German boundary should be more clearly defined from the Umeri-Gamoni District to Lake Chala. The matter was discussed by Mr. Hobley with Herr Loer, the Imperial German District Commissioner of Moschi, at Taveta in that month, and these two officers proceeded along the border visiting the salt-licks which had been the source of the dispute. An arrangement was reached whereby the Warombo, a German tribe, would be permitted to use under supervision, a salt-lick situated half a mile within British territory, on one day in each month. It was also decided that the unmarked stretch of fifteen miles from Lake Chala to the source of the Rombo River should be defined by prominent marks.

Captain Kraut, a German surveyor, visited Lake Natron towards the end of July and was there met by Mr. Hemsted. These officers decided that the best method of defining the boundary between beacons 18 and 23 would be by means of a trench and by the erection of additional beacons at prominent points. The German Government agreed to undertake the work between beacons 18 and 27, but the outbreak of war prevented the performance of this undertaking.

Raid on Athi River store, February, 1914.

24. On the night of the 18th of February, 1914, a raid took place on an Indian store at the Athi River. One Indian was killed, his son and an Indian signalman were seriously wounded, and another young Indian received a slight wound. This raid was at first thought to be the work of four Masai. Mr. Beech, the Acting District Commissioner, Ngong, proceeded to investigate, in company with the Regent, Ngenya and examined without satisfactory result all the young men of the Kapsimi division who occupy the neighbouring district. Finally the Regent imposed a fine of seventy head of cattle, on this division which would be returned if the culprits were handed in. No further evidence was forthcoming, and as it could not be proved that this division was in any way concerned with the raid the cattle were returned to their owners in April, 1914.

Additional police posts in Gilgil area, April, 1914.

[579]

25. In April, 1914, an application was received from farmers living near Gilgil that their boys and servants might be permitted to carry firearms. Their request was based on the frequency of raids on their farms by the Masai and other tribes and they cited five instances in the previous three years in which cattle had been stolen and the thieves undetected. The Government was unable to accede to their request but an additional police post was established among the northern Gilgil farms.

Raid on a Masai farm, April, 1914.

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26. Five Murran of the L'Otaiyok division living in the Kosompurusha Hills unsuccessfully raided a German farm near Moschi in April, 1914. They were fired on by the owner, leaving one dead, and were subsequently apprehended with their property.

Permission to kill game, August, 1914.

27. In August, 1914, the Governor approved a recommendation made by the Officer-in-Charge that the Masai Wanderobo and other natives in the reserve who were accustomed to live by hunting, might be permitted to kill zebra, hartebeest and wildebeest, provided that no hunting took place within the Game Reserve. Conditions were imposed that the Wanderobo should not be allowed to sell the skins or trophies of any of these animals, and they were forbidden to kill any other more valuable species, particularly rhinoceros.

Tendency to move northwards, August and September, 1914.

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28. A tendency on the part of the Masai to drift northwards was noticed in August, 1914, and a detachment under Mr. Hodge was despatched in September to patrol the farm borders from Naivasha towards Njoro with a view to causing all Masai found out of their reserve to be returned thereto.

Grazing concessions to the Masai, 1914.

29. On the outbreak of hostilities a military camp was established at Kajiado on the Magadi Railway, and in order that they might not impede active operations the Masai were instructed to move all their cattle from the grazing grounds lying

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within five miles on either side of the Kajiado-Longido road, and thus make way for the military transport animals. The Masai had taken no steps to comply with these instructions by the middle of January and the Officer-in-Charge of the Transport asked that they might be enforced. The rendering of this large area unavailable for the Masai occurred inopportunely as, owing to the fact that the long rains of 1914 had terminated unusually early while the small rains had failed completely, a serious drought took place during the early part of 1915, and the grazing throughout the reserve became inadequate. Application was accordingly made for permission for the Masai to graze their herds on alienated farms near the railway, on the Kenani Fibre Estates, by payment of rent and on certain Crown lands. This permission was granted in March, 1915, and the Masai were also allowed access to an area on the Mau Narok as well as to the Kedong River by arrangement with the Manager of the Kedong Valley Syndicate. These concessions remained in force until Feb[illegible]916, when the grazing in the reserve was considered sufficient to support the herds.

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Raid into German territory.

30. The Laitokitok Masai [illegible] whom were armed with rifles, made a raid into German territory during [illegible] their country was in the occupation of the military forces and are [illegible] to have looted a number of cattle some of which were the property of certain Greeks. It is possible that the raid may have been carried out as a retaliatory measure for the raid made on them by the Germans and Wachagga. (*Vide* Incident No. 22.)

Raid into German territory, February, 1915.

31. In February, 1915, a party of five Murran of whom three were from German and two of the L'Odo Kilani division from British territory, raided a cattle boma belonging to a German planter at Ngotiek on the Ondonga L'ooi Tatua. Fifty-five head of cattle were captured and it is believed that one German and several natives were killed. The cattle were taken to the head Muran of the L'Odo Kilani division who delivered them over to the Government. They were eventually confiscated and the proceeds of sale were credited to Miscellaneous Revenue.

Raid on the Ngorongi, April, 1915.

32. Early in April, 1915, some two hundred Murran of the Polyani section of the Purko Maran crossed the border on a raiding expedition against the Ngorongi of German East Africa. They succeeded in capturing about one hundred head of cattle, but lost eighteen killed and fifteen wounded at the hands of two German askaris. Though all Masai Murran had been constantly warned against making raids on their own account, and though it had been explained to them that the Germans would probably retaliate, it appears that the prospect of military glory and of looting cattle was irresistible. In this case the offence of these Murran was aggravated by their adoption of a most hostile attitude towards the individual who reported the raid, and it was the firm opinion of Legalishu and Mashumali that a caution would not be sufficient deterrent from similar action in future. A fine of 100 bullocks was accordingly imposed upon the Polyani section this being estimated to represent approximately the value of the cattle looted.

*648 Crimes and raids of Loita Masai, June, 1915.

33. About the beginning of June, 1915, the Germans carried out a raid on the Masai residing near Ol Shombole and the German boundary south of Lake Magadi. Nine mounted Europeans took part guided by an Arusha native; two Masai kraals were attacked and about five hundred head of cattle were taken. An attempt was made by the Muran to recover the cattle, but this resulted in four Masai being killed and two wounded. It is possible that this raid may have been undertaken in retaliation for raids by the British Masai into German territory. The counter-raid which was organised by the Masai forms the subject of Incident No. 46.

Proposed water arrangements along the Magadi Railway.

34. As a result of the German raid described in Incident No. 33, the Masai living in the vicinity of Ol Shombole, who were mostly of the Salei division, moved northwards towards the Magadi Railway and it became necessary to make arrangements for the provision of an adequate supply of water for them. A few Masai camped near Lake Magadi and obtained water from the Magadi Soda Company for which they paid five rupees daily. Mr. E. D. Browne, the Political Officer at Kajiado, approached the Company with a view to the provision of water troughs at suitable points along the Magadi Water Supply Line from the Ngong Hills, and in September the erection of certain water troughs was sanctioned the work to be

undertaken by the Company. An agreement was signed on November 3rd, 1915, providing for the erection of four troughs at various points of the Magadi Railway at which the Masai were to be allowed to water their herds on payment of five rupees per thousand head per day. By December nothing had been done and the country became very dry; by January the short rains having failed, the water supply was regarded as insufficient to support the maintenance of troughs and the work was held over.

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Attempt to prevent Lelkipia Masai, 1916.

33. Early in June, 1916, a determined attempt was made by some of the Purko Masai to return to Laikipia with their stock in defiance of Government orders. Mr. Hemsted threatened to take active measures to stop the movement if persisted in, and with the help of Legalishu, Masikonoli and some of the principal Masai, he persuaded them to abandon their intention before they had arrived within thirty miles of the boundary.

Rumours to the effect that such a movement was projected reached Nairobi on June 17th, and steps were immediately taken to garrison the railway line. A double company of 3rd Kashmiri Rifles was despatched to Gilgil on June 21st, and Mr. E. D. Browne accompanied them as Political Officer. As no renewed attempt appeared probable, orders for the return of these troops were given on the 1st of July.

Raid into German East Africa, July, 1916.

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34. In July, 1916, the Purko Masai of the Il Meriaku, L'Aimer, Kimwani and Mojonli sections and some Masai of the Kakonyukye division made an invasion into German East Africa and captured from seven hundred to one thousand head of cattle and a number of sheep from the neighbouring tribes. They lost about 120 men killed.

This raid was undertaken as a reprisal for a raid made by a German party in the previous month in the course of which some 800 head of cattle were looted and six Masai of the Dennet division killed.

Some of the Purko and Loita Masai were called in by the Intelligence Officer-in-Charge of that part of the border with the object of recovering the cattle raided by the enemy. These were joined by the rest of the Purko and some of the Kakonyukye. They entered German territory with the ostensible purpose of recovering their stock but actually to raid when favourable opportunities offered. In view of the provocation received, His Excellency decided that no action should be taken against the Masai concerned.

Attack on Uganda Police, 1916.

37. In August, 1916, some Masai Masai who were searching the country in the neighbourhood of the Lumbe Escarpment in an endeavour to trace the origin of some Germans recently found near Fatiki, attacked the Uregi location of the South Kavirondo district. One Masai was killed.

German raid, September, 1916.

38. In September, 1916, a party of about two hundred mounted men including fifty Kamasians crossed the border from German East Africa near Lemolgio and penetrated northwards as far as Narosura. They remained in the Loita country for a week and then returned towards Kamagoro. They committed no acts of aggression and it would appear that the object of their visit was a political one.

German raid, December, 1916.

39. In December, 1916, a party of Germans with a large number of native levies raided the villages of Ole Pasy (Purko) and Ole Lemboge (Dennet) near Il Keju Tabek. They killed three Masai and wounded one, and captured about 4,000 sheep and 300 head of cattle. On their return from the raid they fell in with Mr. Hemsted's safari and captured most of his loads, killing a retinue. They were fired upon and retired hastily abandoning about half the stock they had captured.

Raid into German territory.

40. Towards the end of 1916, four Kakonyukye and three Kapotiei Masai, armed with rifles conducted a raid against German natives and looted some 200 head of cattle. The culprits were tried at Ngong in January, 1917, and a fine of Rs. 172,000 was imposed upon them under the Stock and Produce Theft Ordinance, but the case was quashed by the High Court.

41. In December, 1916, the Masai reported that their grazing in the reserve between Magadi Junction and Ulu Station was finished and that their cattle were dying from want of grass. The areas round Kiu and Kajiado were required for military purposes and permission was accordingly given to the Masai to graze their cattle across the Uganda Railway between these two stations on unoccupied Government ground on condition that the cattle watered and lived in the reserve.

42. In January, 1916, the Kaibunyakye Murran of the Il Mojanli "Siria," some of whom are said to have carried rifles, without provocation, crossed the Anglo-German border with the object of raiding the Nyaruanga natives of German East Africa living to the north of the Mara River. They killed about fourteen of the Nyaruanga, mostly women and children, and captured a considerable quantity of livestock. The Nyaruanga had previously been of great assistance to Intelligence Officers posted to the Eastern Lake Area and this raid had a bad effect on their attitude towards the British. The Officer-in-Charge reported this matter to the Governor and recommended a fine of not less than 2,000 head of cattle for the reasons that the Murran had been repeatedly warned against taking such action on their own account, and that the section in question had always been troublesome and was practically the only one that had failed to give any assistance in guarding the border. As the Masai Reserve was at that time a military area the forts of the case were reported to the military authorities who approved the imposition of a fine of 2,000 head of cattle with a further 1,000 head if a number of rifles which had been handed to members of the tribe by an Intelligence Officer were not returned by the end of February. The Governor subsequently discussed the matter with the military authorities, and the fine was reduced to 1,000 head of cattle plus 300 head in respect of the rifles which had not been returned within the specified time. An attempt to collect the fine was only successful in obtaining payment of a small portion and by June 18th some 600 cattle and 200 sheep had been brought in. The fine had been paid in full before the end of 1916, and it was decided that compensation to the extent of 600 head of cattle and 600 sheep should be paid to the Nyaruanga on account of the damage they had suffered. All the rifles were eventually returned and the cattle seized in respect thereof were handed back to their owners. The proceeds of the fine in this case were credited to Masai funds.

43. In January, 1916, a telegraph line was erected by the military authorities between Narok and Shombole station to assist in the rapid transmission of intelligence reports. In June, 1917, the military authorities having expressed their desire to remove the line, the Governor-in-Council decided that it should be maintained as far as possible as a civil line by the Officer-in-Charge of the Reserve.

44. In January, 1916, the Sighirori Kwan were fined three hundred hellebis by the military authorities for failing to report the presence of an enemy bombing party near their village.

45. In March, 1916, a recommendation was made that a fine should be levied under the Collective Punishments Ordinance on the members of the L'Otuyok division on the grounds that they had harboured a criminal. No fine was imposed owing to the lack of definite evidence.

46. Early in 1916 a joint raid instigated by the Sukt division was carried out against the Kek Pere in German East Africa by Murran from the Sighirori, Sukt, Il Dalo Loloruk and Kisonyoro divisions. Some ninety-nine of the Murran were armed with rifles and in the course of the raid thirteen were killed and eighteen wounded. The raid was instigated partly as a reprisal for the German raid described in Incident No. 45, the cattle taken on that raid being supposed to be at Kek Pere. Between three hundred and three hundred and fifty head of cattle were recovered. The Officer-in-Charge applied for a fine to be imposed on these divisions to the extent of Rs. 30,000, but the Governor-in-Council ruled that, in view of the great punishment suffered by these divisions no action should be taken until their future behaviour had been observed.

47. In April and May, 1916, about two hundred Masai, of the Sukt division, moved from the bend of the Uaso Nyiro round Mukhorogi, in the neighbourhood of Lemagrus, in German E[illegible], and took up their residence in Lolia country

under the orgis of the northern-most Bunkas, with their stock, numbering some 2,000 head of cattle, and ten to twelve thousand sheep. These Masai were subsequently found to be in the possession of seven rifles, the property of Hans Schlichegel, which were recovered and destroyed by the Assistant District Commissioner, Narok.

48. In June, 1918, a series of eleven cattle thefts from the Kikuyu were reported as having taken place, presumably by Masai, between June, 1913, and April, 1918. In three of these instances, the persons implicated were arrested and convicted, but, in the majority, the looted stock was traced to the Masai Reserve and not recovered. Sixty-nine head of cattle had been taken altogether, but only six head had been retrieved, and the Provincial Commissioner of the Ukamba Province considered that compensation should be paid to the Kikuyu in consideration of their losses. As the information respecting these alleged thefts was the scanty to admit of any fine being imposed on the Masai without further investigation, Mr. Hobley was instructed to hold an enquiry into the circumstances of each case. As a result of his investigations, he considered the case against the Masai to be strong enough to warrant the imposition of a fine under the Collective Punishments Ordinance, and in this opinion the Attorney-General concurred, adding that, in view of the large number of stock stolen from the Kikuyu, the fine might be of an exemplary character. He suggested that the amount and the incidence of the fine might be decided after consultation with the Officer-in-Charge.

Cattle theft by the Masai from the Kikuyu.

Mr. Hemsted, however, thought that insufficient evidence had been forthcoming to prove the complicity of the Masai tribe as a whole, and recommended that a fine of Rs. 1,000 be imposed on the village of Kikimoke, and of Rs. 500 on the village of Lokorio, to which villages, situated in the Kedong Valley, stolen cattle had actually been traced. He also suggested that the proceeds should be distributed to the Kikuyu in compensation for their cattle. This course received the support and approval of the Governor-in-Council on the 11th of September, 1918.

49. Two persons were killed on a road between Kisii and the Masai Reserve, in July, 1918, and some cattle were stolen. An application for the imposition of a collective fine on the Kisumui "Kraal" of the Purko Masai, found on the ground that these Masai were the only warriors near the scene of the outrage, was disallowed on account of the fact that the road in question was much frequented, and that there was nothing to show that any members of the Masai tribe were responsible for the murders.

Murders on the Kisii-Masai Reserve road, July, 1918.

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50. In September, 1918, it was ascertained that the Wanderobo had committed a number of stock thefts in the Nzoia district, after the Intelligence Officers had left the border. Several Wanderobo were killed in one attempted raid. The Wanderobo concerned were arrested and punished by the District Commissioner, Mumia.

Raids by Wanderobo.

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51. On the 19th of November, 1918, two Indian traders, travelling on the main road some seven miles from Narok, found two bodies of Kikuyu natives lying near the road. These Kikuyu had been murdered and were quite dead when found. They had several wounds on their persons, evidently inflicted by spears and knives. One of the murdered Kikuyu was recognised immediately as the servant of an Indian trader, at Narok, and both had been carrying loads when they met their death. Investigations were immediately instituted by the District Commissioner, Narok, but nothing definite was discovered. In February, 1919, evidence was brought against two Masai, who had been wandering in the vicinity at the time of the crime, but this was insufficient to justify further proceedings being taken against them.

Murder of two Kikuyu natives near Narok, Nov., 1918.

At the end of April, the headmen of the Masai living in the neighbourhood were called on to explain what steps they had taken to find the murderers. The name of the murderer was greatly impressed by the Masai of the three Purko "Kraals," named Kimanai, L'Aimer and Naipadi, and, as no evidence was brought by any members of these "Kraals," supporting the murders, the District Commissioner recommended the imposition of a fine under the Collective Punishments Ordinance on all three companies.

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The matter was discussed in Executive Council on the 23rd of June, 1917, when Mr. Hemsted, who was present, stated that there could be no doubt that the members of these "Bolo" were well aware of the identity of the murderers and were deliberately shielding them from justice. Several members of Kikuyu had recently returned to or were the Naval Reserve, and an exemplary punishment was considered necessary. A fine of Rs. 20,000 was accordingly imposed on each of the three "Bolo," the total fine amounting to Rs. 60,000. The Secretary of State remitted his sanction by despatch, on the 23rd of August, 1917. Three seventeen hundred head of cattle were seized in August as security for the payment of the fine, but, by October, no portion of the fine had been paid in cash. Instructions were, therefore, issued for the fine to be recovered by distress, by the sale of the cattle to realise the amount of the fine imposed. This sale was postponed owing to an outbreak of lung-disease among the herds.

Destruction of cattle affected with Rinderpest, 1916.

46. Owing to complaints by the Masai of the damage done to their stock by lions, and on account of several incidents where natives had been killed by these beasts, permission was granted in December, 1916, to District Officers working in the Masai Reserve, to shoot lions in the Northern Game Reserve, in cases where there was good reason to believe that the animals were dangerous.

Case of the Kahumpuiyo Murder, 1916, Kikuyu.

47. Owing to the constant trespassing by the Kahumpuiyo Masai on the farms in the Kedong Valley, that division was moved in December, 1916, and was located in the vicinity of the Ngong Hills, an area which had, for many years past, been practically unused.

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As the Kahumpuiyo cattle were highly susceptible to East Coast fever, it became necessary to erect a cattle dip for them, the dip already in existence at Ngong being unsuitable for their requirements. The site selected for the new cattle dip was near the Kiserian Station, ten miles south of Ngong, and its construction was approved on the 9th of January, 1917.

Murder near Kiserian Station, 1917.

48. In March, 1917, a young man and three boys were brutally murdered within a short distance of the Masai border, near Kiserian. The circumstances of the crime pointed strongly to the fact that the Masai were here the offenders, but there was no evidence of their complicity and no punishment was inflicted.

Murder of two Kikuyu boys, 1917.

49. In May, 1917, some Kikuyu were attacked while grazing their cattle in their reserve within one mile of the Masai boundary, and two boys were killed with spears. A witness, who saw the whole incident, escaped with his life, and subsequently gave evidence to the effect that the murderers were a band of Masai. In the judicial proceedings which ensued, the absence of any motive for such a deed on the part of the neighbouring Kikuyu was clearly established, while a motive was present in regard to the conduct of the Masai tribe, as it was by native custom necessary in certain circumstances for each warrior to have bloodied their spears before admission to the forthcoming E-Unoto ceremony. It proved impossible to trace any of the individual criminals, but it was considered that sufficient grounds existed for holding five divisions of the Masai tribe, resident in the neighbourhood, responsible for the outrage. The perpetration of a number of murders of the same nature and in the same area a short time previous to this crime, in no one of which had sufficient evidence been obtainable to warrant the imposition of a collective punishment, influenced the Governor in determining the severity of the penalty to be inflicted in this case and, as it appeared that the tribe was growing contemptuous of the Masai that they would escape punishment for such deeds if they were performed outside the limits of their own country, he determined to make the punishment an exemplary one, and a fine of Rs. 50,000 was imposed under the Collective Punishment Ordinance on each of the Masai divisions implicated, namely, the Ngatoyai, L'Odo L'Kumi, Mokogodo, Kapeiti and L'Odo L'Arusi divisions. It was decided that, from the proceeds of the fine, Masai money should be paid to the relatives of the two Kikuyu victims.

Masai fined for murder of two boys, 1917.

50. Early in June, 1917, unrest was reported among the Masai of the Trans and Lake tribes. On the evening of June 3rd, the Trans commenced operations for an attack on the Lake, and the District Commissioner, Naivasha, who followed

9:Foxbrooke G-S (1936-1968) 1968 FL12 Maasi FL12
Kisonko

When the whole of one age has been circumcised, and the *enkanyare* ceremony performed, the members of the completed age feel it is about time to claim some privileges from the prior age. Whether the age immediately above is of the same or a different generation does not appear to affect the rule that these privileges are only granted when the senior age begins to doubt its capacity to retain them by force. The chief privileges are (a) the marking on the shield known as *sarrat enyabi* (most important), (b) the spear handle of black wood called *enjata narok*, and (c) the right to hold a dance without seeking permission from the senior moran.

No formal demand is made. The juniors will assume one of the privileges, and when met by a band of seniors will be promptly beaten up and retreat. This process continues till wounds become frequent in these affrays. When the seniors feel that they are on the point of losing their ascendancy they graciously hand over these privileges to the juniors, who may then proceed to the Uasin ceremony.

In the first few years subsequent to circumcision, the new morans have been kept in a position of subjection by the morans of the preceding age or generation. But these latter have now handed over the marks of seniority and entered into elderhood through the *ngabare* ceremony. What does this change of status mean to the morans concerned?

Fundamentally it means that having shown their worth in the fights for the coveted insignia, the junior morans are now deemed capable of guarding the country. Their seniors can retire to the more peaceful occupations of marriage and animal husbandry, in the knowledge that their juniors are worthy successors. But their period of junior service has done more than make them efficient warriors; it has moulded them in ways which are to-day more important than the purely military aspect. Both as individuals and as a group they have been taught respect for authority. If as individuals they are found associating with the maiden girls who are the perquisite of the seniors, they are beaten; if as individuals they quarrel with a member of the senior grade, the wrath of the whole of that age falls upon them. An example of this is the case of a Moruko of Kibaya who at Kibaya quarrelled with a Kimaa of Makueni. The Kibaya Kimaa promptly gave the Moruko a good beating. A few days later, having got news of the quarrel, a party of Makueni Kimaa appeared on the scene to beat the Moruko. But having heard that the Kibaya Kimaa had done the job for them they went home forthwith.

The ceremony of promotion from junior to senior warriorhood, called *eunoto*, is probably the best known and most misunderstood ceremony in the Maasi age grade system. Hollis, Merker and Storrs Fox all regard it as the step between warriorhood and eldership, and only Leakey and Hemsted (the latter somewhat vaguely) regard it as a ceremony of promotion.

It is performed by seniors on groups of seniors. The Kisonyo traditionally perform the ceremony at Singalat near Mosa, i.e. on the eastern slopes of Mondul mountain, actually in the Arusha district. As many as possible of the age attend, but by no means all. The Arusha tribe

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to divide as equal as possible: one warrior receives as much as the other, but before that a few head of cattle are distributed as a special reward and first to those warriors who killed an enemy in battle, then to the bowbearer (if available), then to the one who captured the five head of cattle and to the spies who were slewed (cf. eigenbrodt) and finally to the wounded, each of whom is entitled to the head of cattle that he smeared with the blood gushing out of the wound. The number of cattle that the individual of the new constituted receives, except for the last who is entitled to only one head of cattle, is determined by the size of the booty and the proportion of the size of the booty's parts according to the above order of succession. /73/ Every warrior strives as quickly as possible to drive off from the others his share of the booty, but each one also tries to take along with it one or more head not belonging to him. This, of course, gives rise to another brawl, in which there are almost always several wounded men. If the booty is too small for an equal division, the warriors form two parties, on the one side the El ancientjes, on the other the 'l elmo and El medigese. The former have an slaughtering cry the term gde medgi = the red cattle, the latter the term wenk gewil = the black cattle, after which they are also sometimes named (for example, I heard it in magi). A fight decides which one of the two parties receives the entire booty.

At home in the kraals it was very quiet during the warriors' absence. After the farewell, those remaining behind went home, each somewhat heavy-hearted in the anxiety about a son or lover, which, however, was soon more or less pushed into the background by the expectation of the spoils that they would bring back. Soon after the farewell the old men was again squatting in quiet contemplation in front of his hut and chasing away from his face and head, also on before, with a fly switch (cf. tafel, el mimi) (Fig. 72) consisting of a goat's tail, the fine constituting a veritable plague in the kraal kraals. Then he took a hair from the switch and made a knot in it for each of the men who had gone to war.

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Unknown in penal law are an aggravated death penalty, for example, death by fire, the principle of an eye for an eye, the view that the perpetrator must pay with the body part with which he has sinned, as well as symbolism, imprisonment, enslavement, a public monetary fine besides the composition, public monetary fines in general, a right of pardon.

There still remains to be pointed out one penal decree, which, however, exists only for warriors. That the calling and way of life of the warriors, who are empowered primarily by brute strength and force, are not suitable for preventing rowdiness is obvious and is shown by the frequent, more or less rough brawls among them. Insofar as they seem useful for preventing personal revenge, they are not punished; for those connected with bodily injury what was said above applies. For the brawls a stick or a club is used as a weapon and the shield for display. In order to force the opponent to leave himself open, one directs a blow on the left lower arm holding the shield, and, to be sure, not infrequently so violently that it breaks[illegible]. Now, if a warrior has already inflicted broken bones on the opponent several times, especially in the manner just described, all the warriors, under the leadership of their oi aigwenani, gather together and announce to him that he will be outlawed if he once more [illegible] engages in a brawl; if the one warned violates this prohibition, every warrior of the Iroki is justified in killing him.

The legal proceedings are the same in civil and penal cases; in both there is only one court for the people of a district. For the warriors this is the speaker (oi aigwenani) for the older married men as elders, respected, i.e., wealthy, men chosen each time by the persons concerned to settle the particular case presented. In controversial matters between warriors of different Iroki or, which is usually the worse thing, of different areas, the speakers concerned jointly resolve and decide, either alone or, if they do not reach a definite decision, with the advice of an oi aimmi, whose voice is then decisive. In disputes among married men of different areas a mixed council of elders decides. The oi aiheni may be regarded as a court of review, who, however, is called upon only in those cases which concern the commonweal. There are civil proceedings